

Appl. No. 10/658,470
Amendment dated March 28, 2005
Reply to Office action of December 28, 2004

REMARKS:

By the present amendment, Claims 1-4 and 9 have been cancelled, and Claim 5 has been amended. Upon entry of this Amendment, Claims 5-8 will be pending in the Application.

1. Rejection under 35 U.S.C. 112, second paragraph:

Claims 1-9 were rejected for containing various words and phrases that were considered indefinite by the Examiner. As a result of the present amendment, the only remaining claims are Claims 5-8. Claim 5 has been amended to correct the problems raised by the Examiner.

2. Rejections under 35 U.S.C. 102:

In Paragraphs 4-6 of the Office Action, Claims 1-4 are rejected under various sections of 35 USC 102. By the present Amendment, Claims 1-4 have been cancelled.

3. Rejections under 35 U.S.C. 103:

Claims 5 and 9 were rejected as being obvious over Fukui and Biegler. Claim 6 was rejected as being obvious over Fukui, Biegler and further in view of Kudo or Asanuma.

Claim 5 has been amended and now includes limitations relating to the time for thermal development (from Claim 9) and the percent water composition of the solvent used in the coating solution. Support for the latter limitation can be found in Applicant's Specification on page 60, lines 2-6.

The Examiner comments that claims 5 and 6 are rejected because it would have been obvious for a person skilled in the art to use the device taught in Biegler to trap odor particles in a process for forming an image using a photothermographic material taught in Fukui.

However, it has been conventionally known that filters, which include the filter device taught in Biegler, are used principally for the collection of organic solvents. Such

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organic solvents typically remain in coating layers of photothermographic materials because they are contained in coating solutions for forming coating layers of the photothermographic materials. Collection is desirable because the residual components of the organic solvents are harmful to the human body when they are volatilized during developing of the photothermographic materials.

In contrast, it has been conventionally known that photothermographic materials that are formed by using water-based coating solutions are free from the above-described problem accompanying photothermographic materials that are formed by using organic solvents.

Therefore, there would be no motivation to combine the filter taught by Biegler with the disclosure of Fukui, which uses photothermographic materials that are formed by using water-based coating solutions.

Further, the Examiner comments that Fukui teaches that the developing time is preferably 10 to 15 seconds. However, since Fukui fails to teach or suggest the use of a filter, it could not be expected that the collection of volatilized phthalazine or phthalic acid compounds by using a filter would be efficiently achieved in a range of 7 to 15 seconds as taught in the present Application.

In view of the above amendments and remarks, Claims 5-8 are hereby submitted in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,



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